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17 Attorneys for Defendant
18 SYSCO LOS ANGELES, INC.

19 UNITED STATES DISTRICT COURT
20 CENTRAL DISTRICT OF CALIFORNIA

21 JOHNNY VALDEZ, individually and on
22 behalf of all others similarly situated,

23 Plaintiff,

24 v.

25 SYSCO LOS ANGELES, INC., a
26 Delaware Corporation,

27 Defendant.

Case No. 2:23-CV-10504 CBM (KS)

**NOTICE OF SETTLEMENT AND
STIPULATION OF DISMISSAL**

[Fed. R. Civ. Proc. 41(a)(1)(A)(i)-(ii)]

Complaint Filed: December 15, 2023

Trial Date: Not set

1 Plaintiff JOHNNY VALDEZ (“Plaintiff”) and Defendant SYSCO LOS
2 ANGELES, INC. (“SYSCO”) (Sysco and Plaintiff are collectively the “Parties”), by
3 and through their respective counsel, hereby stipulate and jointly request that the Court
4 dismiss Plaintiff’s action with prejudice.

5 WHEREAS, on December 15, 2024, Plaintiff filed a putative class action in the
6 United States District Court for the Central District of California;

7 WHEREAS, in an effort to resolve this matter early, the Parties jointly stipulated
8 to extend Defendant’s responsive pleading deadline, which is currently due May 27,
9 2024. As such, Defendant has not filed a responsive pleading as of this filing; and,

10 WHEREAS, the Parties have reached a settlement of all of Plaintiff’s claims
11 asserted in the instant lawsuit, necessitating a dismissal of this action with prejudice as
12 to Plaintiff’s individual claims and without prejudice as to the claims of the putative
13 class.

14 WHEREAS, no monetary consideration is being exchanged as part of this
15 individual Settlement, but instead Defendant has provided substantial documentation to
16 Plaintiff’s counsel showing that it properly funded Plaintiff’s and the putative class’s
17 pension obligations per the applicable provisions of the governing collective bargaining
18 agreements and, to the extent there remain issues as to vested pension amounts in the
19 Western Conference of Teamsters Pension Trust Fund, those issues will need to be
20 addressed separately by Plaintiff and the putative class members with the Fund itself;

21 WHEREAS, Plaintiff’s counsel has submitted herewith a declaration explaining
22 why dismissal of the claims of the putative class without prejudice is appropriate, as
23 arguably required by Rule 23(e), and why dismissal of his individual claims with
24 prejudice is appropriate in light of Defendant’s confirming documentation showing that
25 it properly funded Plaintiff’s and the putative class’s pension obligations;

26 NOW THEREFORE, the Parties stipulate and request that Plaintiff’s individual
27 claims be dismissed with prejudice, and the claims of the putative class be dismissed
28 without prejudice, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(i)

1 and (ii).

2 **IT IS SO STIPULATED**

3 Dated: May 24, 2024

ACKERMANN & TILAJEF, P.C.

4 /s/Craig J. Ackermann

Craig J. Ackermann

5 Attorneys for Plaintiff

6 JOHNNY VALDEZ

8 LITTLER MENDELSON, P.C.

9 /s/ Evan E. Kroll

10 Evan E. Kroll

11 Attorneys for Defendant

12 SYSCO LOS ANGELES, INC.

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16 **FILER'S ATTESTATION**

17
18 Pursuant to Civil Local Rule 5-4.3.4(2)(i) of the United States District Court,
19 Central District of California, I hereby attest that concurrence in the filing of this
20 document has been obtained from all signatories above.

21
22 Dated: May 24, 2024

/s/Craig J. Ackermann

Craig J. Ackermann